



OFFICE OF CHEMICAL SAFETY AND POLLUTION PREVENTION

WASHINGTON, D.C. 20460

March 8, 2024

Robert Hougaard, Director
Plant Industry & Conservation
Utah Department of Agriculture and Food
PO Box 146500/350 North Redwood Road
Salt Lake City, UT 84114-6500
ATTN: Bob Figora, Program Specialist

Subject: FIFRA 24(c) Registration –SLN Acknowledgment Letter

SLN Registration Number: UT240001

EPA Decision Number: 595182

SLN Expiration Date: 12/31/2029

Parent EPA Reg. No.: 56228-29

Product Name: Compound DRC-1339 Concentrate Livestock Nest and Fodder Depredations

Dear Mr. Hougaard:

This letter acknowledges receipt of the above-listed Special Local Need (SLN) registration pursuant to Section 24(c) of the Federal Insecticide, Fungicide, and Rodenticide Act, as amended. The SLN registration permits use of Compound DRC-1339 Concentrate – Bird Control (containing 3-chloro-p-toluidine hydrochloride) to control American crows, common ravens, European starlings, and black-billed magpies in Utah, in rangeland, pastures, feedlots, dairies, and refuges where they come into contact with livestock or listed species. The target bird species prey upon the young or eggs of livestock as well as endangered and threatened species. This SLN is needed to allow use by certified applicators who have been trained in bird control, by the Utah Department of Agriculture and Food.

The Agency has completed a review of this use and acknowledges the State's Special Local Need registration and have placed a copy of the SLN label in our records. If you have any questions, please contact Andrea Conrath by phone at (202)566-2568 or via email at conrath.andrea@epa.gov.

Sincerely,

ERIC

BOHNENBLUST

Digitally signed by
ERIC BOHNENBLUST
Date: 2024.03.08
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Eric Bohnenblust, Ph.D., Chief
Minor Use and Emergency Response Branch
Registration Division/Office of Pesticide Programs

CC: Kimberly Pardue- Welch, *USEPA Region 8*

RESTRICTED USE PESTICIDE

DUE TO HIGH ACUTE INHALATION TOXICITY AND EYE AND SKIN CORROSIVENESS TO HUMANS;
HIGH ACUTE TOXICITY TO NONTARGET BIRDS AND AQUATIC INVERTEBRATES;
AND THE NEED FOR HIGHLY SPECIALIZED APPLICATOR TRAINING.

For retail sale to and use only by certified applicators who are Utah Department of Agriculture and Food personnel trained in bird control.

FIFRA SECTION 24(c) SPECIAL LOCAL NEED LABEL

FOR DISTRIBUTION AND USE ONLY WITHIN UTAH'S 29 COUNTIES, UTAH (See attached appendix A1)

This product may only be used for the control of American crows (*Corvus brachyrhynchos*), common ravens (*Corvus corax*), European Starlings (*Sturnus vulgaris*), and black-billed magpies (*Pica hudsonia*) in 29 counties in Utah in (1) Rangeland and pastureland areas where the target species prey on livestock, (2) Feedlots and/or dairies where Starlings are coming in direct contact with livestock or feed, (3) Rangeland, pasturelands, refuges or other areas where ravens, crows and magpies prey upon or are suspected of preying upon the eggs and/or young of Federally designated Threatened or Endangered Species, or prey upon or are suspected of preying upon the eggs and/or young of other species which Federal or State wildlife agencies have determined to be in need of protection from nest predators due to documented declines in numbers and/or in nesting success.

This label is valid until December 31, 2029 or until otherwise amended, withdrawn, canceled or suspended.

COMPOUND DRC-1339 CONCENTRATE – LIVESTOCK, NEST & FODDER DEPREDATIONS

EPA Reg. No. 56228-29
EPA SLN No. UT-240001

ACTIVE INGREDIENT:

DRC-1339; 3-chloro-p-toluidine hydrochloride: 97.0%

OTHER INGREDIENTS: 3.0%

TOTAL: 100.0%

KEEP OUT OF REACH OF CHILDREN

**DANGER-PELIGRO
POISON**



ENDANGERED SPECIES CONSIDERATIONS

- Before undertaking any control operations with the product, consult with local, State, and Federal Wildlife authorities to ensure the use of this product presents no hazard to any Threatened or Endangered Species.
- **DO NOT** apply in areas where toxic baits may be consumed by Threatened or Endangered Species unless special precautions are taken to limit such exposures. Such precautions shall include observation of baited sites and hazing tactics to frighten away Threatened or Endangered species that otherwise might feed upon baits. The Threatened and Endangered species potentially at risk from use of this product are listed below.

THREATENED AND ENDANGERED SPECIES AND PROPOSED THREATENED SPECIES:

- Columbian white-tailed deer (*Odocoileus virginianus leucurus*)
- Fisher (*Pekania pennanti*)
- Gray wolf (*Canis lupus*)
- North American wolverine (*Gulo gulo luscus*)
- Marbled murrelet (*Brachyramphus marmoratus*)
- Northern spotted owl (*Strix occidentalis caurina*)
- Short-tailed albatross (*Phoebastria (=Diomedea) albatrus*)
- Streaked horned lark (*Eremophila alpestris strigata*)
- Western snowy plover (*Charadrius nivosus nivosus*)
- Yellow-billed cuckoo (*Coccyzus americanus*)
- Leatherback sea turtle (*Dermochelys coriacea*)
- Loggerhead sea turtle (*Caretta caretta*)
- Olive Ridley sea turtle (*Lepidochelys olivacea*)
- Oregon spotted frog (*Rana pretiosa*)
- Borax lake chub (*Gila boraxobius*)
- Bull trout (*Salvelinus confluentus*)
- Hutton Tui chub (*Gila bicolor ssp.*)
- Lahontan cutthroat trout (*Oncorhynchus clarkii henshawi*)
- Lost River sucker (*Deltistes luxatus*)
- Shortnose sucker (*Chasmistes brevirostris*)
- Warner sucker (*Catostomus warnerensis*)
- Fender's blue butterfly (*Icaricia icarioides fenderi*)
- Oregon silverspot butterfly (*Speyeria zerene hippolyta*)
- Taylor's (=whulge) checkerspot (*Euphydryas editha taylori*)
- Conservancy fairy shrimp (*Branchinecta conservatio*)
- Vernal pool fairy shrimp (*Branchinecta lynchi*)
- Vernal pool tadpole shrimp (*Lepidurus packardii*)

ENVIRONMENTAL HAZARDS

- This product is very highly toxic to birds and aquatic invertebrates.
- **DO NOT** use in any manner that may endanger nontarget and protected bird species.
- Runoff may be hazardous to aquatic organisms in neighboring areas.
- **DO NOT** apply when runoff is likely to occur.
- **DO NOT** apply directly to water, or to areas where surface water is present, or to intertidal areas below the mean high water mark.
- **DO NOT** contaminate water by the cleaning of equipment or disposal of waste.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling.

READ THIS LABEL: Read this entire label and the label for EPA Registration Number 56228-29. This product must be used strictly in accordance with this label's precautionary statements and use directions on both labels, as well as with all applicable State and Federal laws and regulations.

This state-specific Section 24(c) labeling and the Section 3 labeling for EPA Reg. No. 56228-29 must be in possession of the user at the time of pesticide application. Follow all applicable directions, restrictions, and precautions on this label and the EPA registered label for EPA Reg. No. 56228-29.

Before using this product, contact the U.S. Fish and Wildlife Service and the applicable State wildlife agency and obtain all kill or collecting permits. Use only for the sites, pests, and application methods described on this label.

USE RESTRICTIONS

FOR USE ONLY IN 29 COUNTIES, UTAH (See appendix for county details). For retail sale and transfer to, and use only by, certified applicators who are Utah Department of Agriculture and Food personnel trained in bird control.

- Toxic hard-boiled egg baits prepared with Compound DRC-1339 Concentrate – Livestock, Nest & Fodder Depredations may only be used to control American crows (*Corvus brachyrhynchos*), European Starlings (*Sturnus Vulgarus*), common ravens (*Corvus corax*), and black-billed magpies (*Pica hudsonia*) at the following use sites in 29 Counties, Utah: (See appendix A1 for county details)
 - (1) Rangeland and pastureland areas where the target species prey on livestock;
 - (2) Rangeland, pasturelands, refuges or other areas where ravens, crows and magpies prey upon or are suspected of preying upon the eggs and/or young of Federally designated Threatened or Endangered Species, or prey upon or are suspected of preying upon the eggs and/or young of other species which Federal or State wildlife agencies have determined to be in need of protection from nest predators due to documented declines in numbers and/or in nesting success.
 - (3) In Feedlots and/or Dairies where European Starlings are coming in direct contact with feed or livestock.
- Baits must be prepared following the instructions on this label under **BAIT PREPARATION** and **APPLICATION DIRECTIONS**, or on the label for EPA Reg. No. 56228-29 under **DIRECTIONS FOR USE**.
- **DO NOT** apply toxic baits made from this product by air or by using any procedures not prescribed on this label.
- **DO NOT** use toxic baits as food or feed.
- **DO NOT** apply this product in any way that could contaminate food, feed or water, or that would allow bait to be consumed by livestock.
- **DO NOT** exceed a maximum single application rate of 1,000 egg baits/acre (2,471 egg baits/hectare), or a maximum yearly application rate of 5,000 egg baits/acre (12,355 egg baits/hectare).
- **DO NOT** apply treated baits within 50 feet of permanent manmade or natural bodies of water, unless baited sites are under constant observation while baits are exposed.
- Before toxic baits made from this product are applied, sites that are to be treated **must be observed** for evidence of nontarget activity and **must be prebaited** (see specific instructions for these activities under **PREBAITING**).
- **DO NOT** apply toxic baits in locations where nontoxic prebait has not been accepted well by target species or where nontarget wildlife have been observed to feed on prebait.

DIRECTIONS FOR USE, continued

USE RESTRICTIONS, continued

- **DO NOT** apply in areas where toxic baits may be consumed by Threatened and Endangered Species unless special precautions are taken to limit such exposures. See **ENDANGERED SPECIES CONSIDERATIONS**.
- **DO NOT** store toxic baits in locations accessible to children, pets, domestic animals, or nontarget wildlife.
- Prior to application, and during the time between the conclusion of application and the disposal of unconsumed toxic baits, **DO NOT** temporarily place toxic baits in locations accessible to children, pets, domestic animals, or nontarget wildlife. Follow the directions in **ENTRY RESTRICTIONS** to avoid exposure to children, pets, or domestic animals during application. Follow the directions in **PRETREATMENT OBSERVATIONS** to mitigate exposure to nontarget wildlife during application.
- **DO NOT** use bait materials that resemble human foods in any sites that are accessible to children.
- **DO NOT** apply toxic baits in a way that will contact workers or other persons.

ENTRY RESTRICTIONS

Only protected applicators may be in the area during bait placement or clean-up of toxic baits. Keep pets and livestock, and persons other than authorized handlers away from the toxic bait at all times, and exclude all unauthorized persons from application sites during prebaiting, application, and posttreatment clean-up. For example, post signage near, in the vicinity of, or at main entrances or commonly used access points to prebaiting and baiting sites that warns persons not to pick up or handle any baits and to keep pets and livestock away from the bait.

PRETREATMENT OBSERVATIONS

Prior to application of toxic bait, the applicator or land manager must carefully observe and document the habits of target birds to:

- (1) determine their relative numbers,
- (2) locate preferred feeding sites that can be baited in accordance with this label,
- (3) determine the optimum time of day for applying bait, and
- (4) evaluate the potential for hazards of the application to nontarget and protected species.

Once potential baiting sites are identified, they must be observed carefully to determine the potential hazards to nontarget species and must be prebaited to promote bait acceptance by target species.

PREBAITING

Prebaiting with nontoxic bait materials (or use of a draw station) is necessary to promote feeding by target species and to assess potential for exposure of nontarget species.

Apply the prebait at the locations that are to be used for toxic baiting using the same application method that is to be used for toxic baiting (see **APPLICATION DIRECTIONS**).

Observe baited areas (from blinds, if necessary) early in prebaiting period to determine whether nontarget species are approaching baits. Haze away Threatened or Endangered and nontarget species that might consume baits. Remove baits if such nontarget species continue to approach them.

BAIT PREPARATION

Toxic baits made with Compound DRC-1339 Concentrate – Livestock, Nest & Fodder Depredations must be prepared as specified in Table 1.

NOTE: During bait preparation, wear all PPE as listed under **PERSONAL PROTECTIVE EQUIPMENT** on the label for EPA Reg. No. 56228-29.

DIRECTIONS FOR USE, continued

BAIT PREPARATION, continued

Place toxic bait into a container marked “**POISON.**” Immediately use toxic bait that has been exposed to sunlight or heat in excess of 110 °F (43 °C) following preparation, or dispose of as directed under **STORAGE AND DISPOSAL** on the label for EPA Reg. No. 56228-29. Use toxic bait within the shelf life time period shown in Table 1, or dispose of as directed under **STORAGE AND DISPOSAL** on the label for EPA Reg. No. 56228-29.

TABLE 1

Bait Material	Bait Mixing Instructions	Amount of DRC-1339 in Toxic Bait	Shelf Life
Hard-boiled Eggs (chicken, turkey, or duck)	<ol style="list-style-type: none">Dissolve 0.07 oz (2 g) of Compound DRC-1339 Concentrate in 0.2 pints (100 ml) of warm potable water at 110 °F (43.3 °C) to make an approximate 2% solution, or dissolve 0.14 oz (4 gram) of this product in 0.2 pints (100 ml) of warm potable water at 110 °F (43.3 °C) to make a 4% solution; or in other proportions appropriate to produce a 2% or 4% solution.Using an 18-gauge hypodermic needle or similar-sized implement, make an entry hole in the end of each hard-boiled chicken, turkey, or duck egg to be used.Using a syringe and a 20-gauge hypodermic needle, slowly inject 0.034 fl oz (1 ml) of the 2% solution or 0.017 fl oz (0.5 ml) of the 4% solution into the yolk area of each egg.Make only enough solution to treat the desired number of eggs. Mark treated eggs with a small skull and crossbones or the word “POISON.”	0.0007 oz (0.02 g) per egg	Store refrigerated; use toxic bait within 7 days

APPLICATION DIRECTIONS

Use only the bait application method listed for the use site in Table 2.

NOTE: During toxic bait application, wear all PPE as listed under **PERSONAL PROTECTIVE EQUIPMENT** on the label for EPA Reg. No. 56228-29. Use a scoop or other appropriate utensil when applying toxic bait.

TABLE 2

Bait Type	Baiting Instructions
Eggs baits	<ul style="list-style-type: none">Control of target birds with toxic egg baits prepared from this product is limited to the sites indicated above under USE RESTRICTIONS.Place all toxic egg baits used at one baited site within 25 ft (7.6 m) of the center of the site. Place 1-4 toxic egg baits in each bait set, and do not use more than a total of 18 eggs per baited site.If a draw station (fresh, unpoisoned animal carcass) is used, all bait sets must be located at least 10 ft (3 m) from the carcass.Whenever practicable and permitted, bait sets may be made in “dummy” nests created by making small depressions in the ground. Dummy nests may be partially hidden by vegetation or other debris.DO NOT USE MORE TOXIC EGG BAITS THAN ARE NEEDED FOR EFFECTIVE CONTROL, as target birds tend to cache surplus food.Observe baited areas (from blinds or with trail cameras) early in the baiting period to determine whether nontarget species are approaching egg baits. Haze away Threatened or Endangered and nontarget species that might consume baits. Remove baits if such nontarget species continue to approach them.Rebait with additional toxic egg baits when more than 50% of the toxic egg baits offered have been removed by target birds. When replacing toxic egg baits, take care not to frighten target birds actively removing or feeding upon toxic egg baits.Retrieve unconsumed toxic egg baits within 7 days of exposure.

DIRECTIONS FOR USE, continued

POSTTREATMENT CLEAN-UP

NOTE: During clean-up, wear all PPE as listed under **PERSONAL PROTECTIVE EQUIPMENT** on the label for EPA Reg. No. 56228-29. To further reduce the potential for exposure, use appropriate implements such as scoops or other tools to collect carcasses or uneaten toxic bait.

TOXIC BAIT CLEAN-UP:

- The applicator must remove all unconsumed, regurgitated, or spilled toxic bait according to the directions for bait retrieval in Table 2.
- Use shovels, scoops or other tools to collect uneaten toxic bait. If baits have broken down or are otherwise difficult to retrieve in their entirety, bury via manual methods (e.g., shoveling under) to a minimum depth of 2 inches (5.08 cm), as appropriate.
- Dispose of collected, unused, and outdated toxic bait according to instructions under **STORAGE AND DISPOSAL** on the label for EPA Reg. No. 56228-29.

CARCASS CLEAN-UP:

- Within 72 hours after each toxic bait application, the applicator or land manager will search treated areas and other locations frequented by target birds, and remove all dying birds and carcasses found. Repeat carcass searches at 1-3 day intervals as long as bait is exposed and likely to remain toxic.
- Dispose of all carcasses in accordance with applicable Federal, State, and local laws and regulations. Carcass collections should not be made in areas where human entry would adversely affect nontarget species and their breeding efforts, unless the carcasses themselves also pose risks to nontarget species.

DRC- 1339 label appendix

- (A1)-
- Beaver County
 - Box Elder County
 - Cache County
 - Carbon County
 - Daggett County
 - Davis County
 - Duchesne County
 - Emery County
 - Garfield County
 - Grand County
 - Iron County
 - Juab County
 - Kane County
 - Millard County
 - Morgan County
 - Piute County
 - Utah County
 - Wasatch County
 - Washington County
 - Wayne County
 - Weber County
 - Rich County
 - Salt Lake County
 - San Juan County
 - Sanpete County
 - Sevier County
 - Summit County
 - Tooele County
 - Uintah County

24(c) Registrant:
Utah Department of Agriculture and Food
4315 South 2700 West
TSOB South Bldg, Floor 2
Taylorsville, UT 84129-2128